

REPORT BY THE
AUDITOR GENERAL
OF CALIFORNIA

A COMPREHENSIVE REVIEW OF
MANAGEMENT PRACTICES AT
FOLSOM STATE PRISON--REPORT SUMMARY

REPORT BY THE
OFFICE OF THE AUDITOR GENERAL

P-529, VOLUME 1

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AT FOLSOM STATE PRISON--REPORT SUMMARY

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Auditor General

March 11, 1986

P-529, Volume 1

Honorable Art Agnos, Chairman
Members, Joint Legislative
Audit Committee
State Capitol, Room 3151
Sacramento, California 95814

Dear Mr. Chairman and Members:

The Office of the Auditor General presents its report concerning Folsom State Prison. The overall management and administration of the prison needs to be improved. There are numerous problems at the prison that are costing the State hundreds of thousands of dollars annually. Through better administrative control, these costs could be reduced and operations streamlined.

Our report is issued in two volumes. This volume provides a brief overview of our findings. Volume 2 presents our detailed audit findings and recommendations that are intended to strengthen overall administrative and fiscal controls at the prison.

Respectfully submitted,

Thomas W. Hayes
THOMAS W. HAYES
Auditor General

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SUMMARY

The overall management and administration of Folsom State Prison needs to be improved. In fiscal year 1984-85, the State of California expended more than \$43 million to house approximately 3,000 inmates, many of whom are among the most dangerous in the state prison system. Folsom's numerous problems in running this 105-year old facility are costing the State hundreds of thousands of dollars annually. Through better administrative control, these costs could be reduced and operations streamlined. Folsom's warden has been very responsive to our audit findings and has agreed to implement many of our recommendations.

The administrative problems at Folsom State Prison are wide-ranging but correctable. For example, the prison is annually spending at least \$129,000 more on meat than necessary to feed inmates adequate meals. Prison staff are eating food that was purchased for inmates, and weak controls are resulting in theft and excess consumption of food by inmates. Further, the State could save approximately \$93,300 if it hired more full-time staff rather than paying overtime to meet the staffing needs of the prison. Additionally, the State could increase its revenues by approximately \$47,000 annually if it charged more competitive rental rates to tenants living in state-owned houses on prison property. Moreover, Folsom is costing the State an undetermined amount of money for unnecessary repairs and deterioration to facilities because it lacks a preventive maintenance program. Also, the State is paying the cost to incarcerate inmates longer than legally necessary because Folsom is not providing inmates with sufficient work assignments by which to reduce their prison terms.

The prison is making errors in inmates' classification scores and in reporting worktime credits that inmates earn. Further, processing of inmates' appeals is not prompt and inmates are paying unnecessarily high prices for items purchased from outside vendors because the prison is restricting inmates' choice of vendors.

In a number of areas, management performance was satisfactory. For example, meals provided to inmates are nutritionally adequate, including the sack lunch meals when supplemented by hot meals. Also, the prison no longer suspends visiting during lockdowns and appears to deny entry to visitors only for those reasons specified in the law. Further, nepotism does not appear to be a problem, and the prison has initiated measures to reduce sexual harassment. Finally, the prison is complying with most state regulations for hiring staff, and the prison is exercising generally adequate accounting controls over disbursements.

Our report on the management practices at Folsom is issued in two volumes. Report P-529, Volume 1, provides an overview of our findings. Report P-529, Volume 2, presents detailed audit findings and recommendations that are intended to strengthen overall administrative and physical controls at the prison.

Maintaining Prison Facilities

Folsom's Plant Maintenance and Operations Department (maintenance department) is not adequately maintaining prison facilities. It lacks a preventive maintenance program, has misplaced some work orders, and has not effectively assigned priorities to others. The maintenance department has, however, complied with state policy regarding the advertising, award, and evaluation of construction contracts. Further, Folsom has developed adequate plans to make improvements to its security housing units as required by the federal court.

Compared to the State Department of General Services and the United States Navy, Folsom's maintenance department has almost no preventive maintenance program for routinely inspecting and servicing the prison's plant and equipment. Instead, the maintenance department staff generally attempt to repair and service plant and equipment only after problems arise. This practice can result in costly and unnecessary repairs, inefficient operations, and higher long-term costs.

In addition, the maintenance department has not effectively managed its work orders. It could not locate approximately 35 percent of our sample of work orders it received in fiscal year 1984-85, and it has not assigned a priority to other work orders so that staff can determine the sequence in which repairs should be made. As a result, repairs of hazardous conditions can be unnecessarily delayed or left undone. Although the maintenance department has had these problems in managing its own work, we did find that it and the procurement office have complied with state contracting requirements in managing Folsom's construction contracts.

In addition, the Department of Corrections and Folsom appear to have developed adequate plans to comply with the requirements of the Toussaint vs. McCarthy permanent injunction (Toussaint injunction). Although the department and Folsom have not completed all of the facility improvements that the injunction requires for Folsom's security housing units, they have provided the federal court with specific long-range plans to meet the requirements.

Providing Vocational Education
to Inmates at Folsom

Folsom's vocational education program is not meeting enrollment quotas. In the past five years, only 44 students have completed Folsom's vocational education courses. During fiscal year 1984-85, enrollment averaged 165 students, 23 students short of the Department of Corrections' average quota of 188 students for the year. The average number of students attending each of the ten vocational classes was only 3.3 per day. When inmates who are enrolled in vocational education do not attend or complete courses, they are unable to develop skills that will assist the prison and help them get jobs upon their release.

In addition, during fiscal year 1984-85, Folsom's vocational education instructors did not always accurately record attendance on timecards

for inmates enrolled in vocational education classes. As a result, inmates received pay and attendance credit for days on which they did not actually attend classes. Also, class attendance records show that Folsom's vocational education instructors have credited inmates with class hours that they did not actually spend in vocational education classes. As a result, inmates received credit or certificates of completion that misrepresent the amount of their training.

Folsom's vocational education program administrators are not complying with Department of Corrections policies for improving the quality of the program. During fiscal year 1984-85, they appear not to have reviewed course outlines, instructional materials, and teaching methods. Further, they have not called a meeting of the trade advisory committee in over two years, and they have not maintained the required inmate advisory committee or inmate safety committees.

Providing Work for Inmates

Folsom is not providing inmates with sufficient work, training, or education assignments as intended by state law and Department of Corrections policy. As of November 7, 1985, 2,126 (94 percent) of the prison's general population inmates were available for assignment; however, only 1,644 (77 percent) of these inmates actually had assignments. Of the 482 general population inmates unassigned, 440 (91 percent) were legally eligible to earn time off their sentences at a faster rate than other inmates could.

Inmates can earn worktime credits at two different rates. An inmate who committed a crime on or after January 1, 1983, or who has signed a waiver can earn a day off his prison term for every day he participates in a work, training, or education program. If this inmate is willing to work but has not received an assignment, he can earn one day off his term for every two days that he is unassigned. Other inmates also receive one day off their terms for every two days that they either are assigned to a work, training, or education program or are unassigned

but willing to work. Consequently, the inmates who are not assigned are earning time off their sentences without developing good work habits, occupying their time productively, or helping defray costs to operate the prison. Additionally, inmates who are eligible to earn worktime credits at the faster rate are unable to reduce their prison terms as quickly; consequently, the State must pay the extra cost to incarcerate these inmates longer than is legally necessary. In September 1985, Folsom developed a proposal for increasing in-cell study programs for inmates. Also, Folsom has begun reassessing the custody level of inmates to identify those inmates who could fill vacant work or training assignments previously unavailable to them.

Also, as of November 7, 1985, only 24 (4 percent) of the 631 inmates in the prison's maximum security housing units (SHUs) who were available for assignment had assignments. However, for security reasons, SHU inmates can be given assignments only within the SHU buildings and adjacent yards. Therefore, Folsom has hired eight new instructors to teach in-cell classes for SHU inmates.

Further, Folsom's assignment office does not always assign inmates to work and training assignments according to established practices, that is, in order of the dates that the assignment office places the inmates on the waiting list.

Finally, it appears that Folsom could become more self-sufficient and reduce the amount by which it must be supported by taxes if it altered or added to the vocational courses it provides to inmates. For example, Folsom's maintenance department has a shortage of skilled workers in its carpentry, electrical, plumbing, and other shops. As of November 7, 1985, the maintenance department had filled only 37 (47 percent) of 79 available work assignments. The maintenance department has apparently not been able to hire any inmates trained in suitable maintenance skills by the vocational education program in the past two years. Although some of Folsom's vocational education courses teach skills that assist in the operation of the prison, few of the

courses provide training to meet the needs of its maintenance department. As a result, the department is less able to address maintenance problems such as backlogged work orders and the lack of a preventive maintenance program.

Maintaining Inmate Records

The counseling offices and the records office within Folsom's Classification Division do not always review inmates' cases promptly or maintain accurate case records. For example, for 11.9 percent of the calculations we examined, Folsom's correctional counselors did not recalculate inmate classification scores accurately. Further, 38 percent of the time the counselors did not recalculate scores at the required intervals (which are normally every 12 months). As a result, there may be an unnecessary delay in placing an inmate at a less expensive security level.

In addition, counselors for the security housing units (SHUs) did not schedule 20 percent of the inmates in our sample for initial 10-day classification committee reviews and 40 percent of the inmates for 120-day reviews as required by the Department of Corrections' Classification Manual. The delays in 10-day reviews ranged from 4 to 23 days, and the delays in 120-day reviews ranged from 5 to 91 days. If inmates do not receive all required reviews, they may not be released from the SHUs at the earliest possible time.

Further, the Folsom records office does not always accurately record and correct in the Department of Corrections' computerized Offender-Based Information System the worktime credits that inmates earn or lose under the law. Eleven (19.6 percent) of the 56 case files we examined contained inaccuracies in data; 7 of these 11 (12.5 percent of the 56 cases) contained inaccuracies that resulted in an overstatement or an understatement of credits.

Finally, the Department of Corrections and Folsom's Classification Division are appropriately placing and retaining inmates at Folsom. Seventy (92.1 percent) of the 76 inmates in our sample had classification scores that corresponded to a maximum security level at the time they entered Folsom. Further, the Department of Corrections had appropriately placed the remaining 6 (7.9 percent) inmates at Folsom because they had committed serious violations of rules at other institutions.

Providing Ancillary Services to Inmates

In our review of the various services that Folsom provides to inmates, we found deficiencies in the appeals system for inmate grievances, in the documentation of services to inmates in the SHUs, and in the prison's mail system. On the other hand, our audit tests did not detect a problem in the visiting program.

Inmates filed over 2,000 appeals against Folsom in fiscal year 1984-85. Our sample of appeals indicated that Folsom staff did not process the appeals within the time limits that Department of Corrections policy requires. Folsom staff were late in responding to 72.7 percent of the informal appeals, 56.3 percent of the first-level appeals, and 37.5 percent of the second-level appeals. When inmates must wait longer than they should for prison staff to either grant or deny appeals regarding such issues as lost property, they can become increasingly frustrated with the appeal system and file lawsuits to ensure their rights. Inmates in state prisons filed 15 percent more lawsuits in 1984-85 than they did in 1983-84. At the conclusion of our audit, the warden directed each division to keep a log on the appeals that it has received and to report monthly on the disposition of the appeals.

Furthermore, Folsom's mail room does not always ensure that the correspondence inmates send out as confidential mail properly qualifies for this status. Without proper verification, inmates can mail to

unauthorized recipients information that endangers the institution, such as plans for escape. In addition, the mail room does not keep records that prove that all certified or registered mail is delivered to inmate addresses or returned to the senders. Inmates may not always receive certified mail, and mail can be lost.

In contrast, we did not find any problems with Folsom's administration of visiting privileges. Although a former warden had suspended personal visits for 50 days during prison lockdowns between July 1, 1984, and November 30, 1984, Folsom's wardens have not suspended visits during lockdowns since then. State law authorizes wardens to suspend temporarily any nonessential operation in order to prevent or control a widespread institutional disturbance. In addition, based on a sample of ten inmates, Folsom denied entry to visitors only for those reasons stipulated in the law.

Feeding Inmates

The Food Services Department is spending a significantly greater amount on food than is necessary to feed inmates adequate meals. In the three-month period that we examined, the butcher shop sent to the kitchen at least 22 percent more meat than the kitchen needed to feed inmates appropriate portions. We estimate that this excess consumption of meat alone costs Folsom at least \$129,000 annually. This excess consumption of food within the institution occurs because the Food Services Department and the Custody Division do not adequately supervise inmate workers and inmate diners and do not report and discipline all violators of specific food control regulations and policies. In addition, the department does not lock all food storage areas when staff are not present; does not provide written instructions regarding portion sizes for all foods; does not count, measure, or weigh unprepared and prepared food items; and does not compile periodic reports and submit them to management. Consequently, inmates are being served more food than prison policy allows, inmates are stealing food, and prison staff are eating food that is purchased for inmates.

Although the Food Services Department does not maintain adequate control over food in the butcher shop, kitchen, and food-serving areas, the department appears to store appropriate quantities of food in the receiving warehouse and to provide nutritionally adequate meals to inmates. Folsom's hot meals, served over an extended period, and its sack lunch meals supplemented with hot meals, are providing inmates with adequate calories, vitamins, and minerals.

Procuring Goods and Services

The procurement office does not always comply with state guidelines for contracting and purchasing or with the intent of the Small Business Procurement and Contract Act. This lack of compliance results in higher state costs.

We reviewed a sample of purchases for less than \$850 that Folsom's procurement office has been granted the authority to make by the Department of General Services' Office of Procurement. The procurement office approved purchases for which the requesting department did not obtain more than one price quotation and approved the purchase at retail prices of items that were available at lower cost on state contracts. One department was making most of its purchases from four vendors with whom it had established credit arrangements. Further, this department was improperly claiming that some of the purchases were "emergency" needs. Consequently, the procurement office unfairly limited the number of vendors having an opportunity to do business with the prison and paid more for the supplies than it should have. For example, based on a price comparison of nine different items, we found that one vendor charged Folsom prices that, on the average, were approximately 18 percent higher than the prices charged by four other vendors we surveyed. In another instance, Folsom paid \$55.52 for a car battery that was available for \$37.87 through a state contract. In addition, many of the purchase requests that the procurement office approved were not authorized by division heads, as prison policy requires.

Similarly, the procurement office has approved orders for services and repairs worth thousands of dollars without following normal procurement procedures. For a number of these orders, the procurement office did not obtain competitive estimates, certifications of emergency conditions, proof of insurance for services of a hazardous nature, or justifications for lack of competition. For example, the procurement office deemed the repair of photocopy machines to be an emergency and required neither competitive price estimates nor a written justification of the emergency condition.

In addition, we reviewed all 19 service contracts of less than \$3,000 that Folsom was solely responsible for negotiating, writing, and approving during fiscal year 1984-85. For two of the contracts, the procurement office did not properly advertise in the California State Contracts Register, nor did it obtain price quotations from at least three contractors. Furthermore, since the procurement office did not prepare and file accurate evaluations of contractors' performance with the Department of General Services' Office of Legal Services, it diminished the usefulness of this information to other state agencies seeking information on potential contractors.

Finally, department-level personnel who initiate purchases at Folsom do not always attempt to include state-certified small businesses when they identify vendors to purchase from. For the last half of fiscal year 1984-85, Folsom made only 12 percent of its delegated purchases from certified small businesses. The Department of General Services, however, requires 25 percent. Further, the procurement office has inaccurately reported the amount of purchases it made from certified small businesses. For example, for the fourth quarter of fiscal year 1984-85, the procurement office reported in its small business monitoring report that it had made 24.3 percent of its purchases from certified small businesses. We found, however, that it actually made only 7.1 percent of its purchases from certified small businesses.

Managing Houses Rented by Employees

Folsom needs to improve its methods for setting rental rates, selecting tenants, and collecting rent for the 40 state-owned houses that are available to employees. Currently, it charges rents ranging from \$102.50 to \$129.50 per month. These rental rates, which include utilities, garbage collection, and maintenance of the front yards, do not appear to comply with state law, which requires that rental rates for state-owned houses reflect the fair and reasonable value of the housing. The State could have increased rental revenues from state-owned housing at Folsom by as much as \$46,776 during fiscal year 1984-85 if it had increased rental rates from \$212.50 to \$332.95 per month, which is the rate recommended by the warden in 1982, adjusted to reflect current utility costs. At the conclusion of our audit, the Department of Corrections notified representatives of an employee union that rental rates will be increased.

In addition, the warden, who is responsible for assigning state-owned rental houses to employees, does not have a clear process to determine who is assigned a rental house, and the office of the associate warden for business services occasionally charges incorrect rental rates.

Finally, the accounting office does not collect cash rent payments promptly. One tenant, who had not paid rent for almost three years, owed a total of \$3,867.50 as of June 1985. The associate warden for business services took immediate action to correct the rental rates and collect all amounts due to the prison.

Controlling Employees' Use of State-Owned Vehicles

Folsom does not maintain adequate records to control employees' use of state-owned vehicles. Contrary to state regulations, Folsom's garage has not maintained travel logs for the 62 state-owned vehicles that prison employees drove 208,000 miles outside prison grounds in fiscal

year 1984-85. Without this log, the garage supervisor lacks information, such as miles driven and destination, to help him determine whether Folsom employees properly use these vehicles and whether the costs associated with these vehicles are appropriate. Since our review, Folsom has ordered 100 travel logs that it intends to place in each state-owned vehicle that employees drive.

In contrast to this problem with vehicle logs, we found that Folsom's garage is servicing the Department of Corrections' eight buses, a California Youth Authority bus, and other heavy equipment at the appropriate intervals.

Accounting for State Funds

Although we found deficiencies in Folsom's timekeeping system, some discrepancies in payments to employees, and delays in submitting work-related injury reports, Folsom appears to be satisfactorily performing all other accounting-related functions.

The Custody Division's timekeeping procedures do not sufficiently ensure that employees are paid only for the hours that they actually work. Only one employee is responsible for ensuring the accuracy of the hours worked by all employees on a single work shift. The number of employees per shift varies from approximately 50 to 225. Furthermore, Folsom's timekeeping system does not require that a separate record be made of either the actual hours each employee works or the times that each employee begins and ends work. We found instances in which employees who worked two consecutive shifts were probably overpaid because the beginning and ending times of the two shifts to which they were assigned overlapped.

In addition, the personnel office and the accounting office are making errors in authorizing certain types of payments to employees. For example, personnel office staff have incorrectly calculated the amount of premium payments that employees receive for work during evening and

night shifts. Also, the personnel office does not always accurately accumulate leave credits in calculating lump-sum payments for employees leaving state service, and it does not always request that employees return payments for sick leave that supervisors did not approve. Furthermore, although the personnel office satisfactorily computed and authorized disability payments to employees, it took longer than state requirements allow to submit work-related injury claims to the State Compensation Insurance Fund. Thirty of the 41 claims submitted during the third quarter of 1984 were submitted more than twenty days after the date of the injury. The State Administrative Manual requires that these claims be submitted in five days or less.

Finally, Folsom's Business Services Division does not sufficiently separate the duties of employees who handle payroll warrants, and the accounting office is not always issuing salary advances in accordance with the State Administrative Manual.

Administering Funds and Other Property Belonging to Inmates

Folsom needs to improve certain aspects of its management of funds and other property belonging to inmates. Inmates are paying unnecessarily high prices for items that the prison purchases for them because the trust office and the receiving and release office are not making sufficient effort to obtain discount prices and because the trust office unduly restricts the inmates' choice of vendors of those items. For example, one of Folsom's approved vendors was selling a portable cassette player to inmates for \$129.97, while another vendor, who was willing to do business with Folsom, was selling the same item to the general public for \$99.97.

Furthermore, inmates may be delayed in gaining access to their money when they transfer from Folsom to other institutions and apparently have been unable to send money home to their families or purchase personal items because the trust office does not promptly transfer the

inmates' funds. For the inmates in our sample whose funds the trust office transferred late, the trust office transferred funds an average of six days after Folsom transferred the inmates. Department of Corrections policy requires that the funds be transferred in two days. In addition, the State may be unnecessarily reimbursing inmates for stolen and damaged inmate property because the Custody Division does not properly control the handling of inmates' personal property or safely store this property. For example, at one storage area, we observed Folsom staff sending inmates unattended to storage rooms to retrieve property belonging to other inmates. Also, one storage area's roof was leaking, and the inmates' property, as well as the inmate property records, were damaged by water.

On the other hand, we found Folsom's performance in other areas of inmate property management to be satisfactory. The trust office appears to record deposits and withdrawals in inmates' accounts accurately and appears to safely store inmates' savings books and securities. Furthermore, the Business Services Division appears to accurately account for Inmate Welfare Fund purchases and canteen operations.

Controlling Equipment, Tools, and Supplies

Folsom's controls over property items such as equipment, tools, drugs, and other supplies are weak. As a result, these items are vulnerable to loss or theft. For example, the Plant Maintenance and Operations Department (maintenance department) does not maintain records of expendable property items, which generally have a unit cost of less than \$150, that it receives, issues, and stores in its warehouse. In addition, the maintenance department does not periodically inventory the items in its warehouse. If the maintenance department does not take periodic inventories and maintain stock records, it is more likely to store obsolete items and excess quantities of items. For example, the maintenance warehouse has in storage 100 sinks and 35 toilets, some

apparently since 1978, that the prison no longer uses because of their design. Moreover, maintenance department staff are ordering supplies that it already has stored in its warehouse. For example, one of the maintenance department's shops ordered two garbage disposals from a local vendor at a total cost of \$256.36 even though the warehouse already had in stock two garbage disposals for which it had paid \$201.60.

In addition to keeping inadequate records, the maintenance department and the vocational education program do not keep storage areas locked, do not monitor points of entry and departure, and do not restrict access by employees. Consequently, they could not locate or account for some of their supplies. For example, one of the maintenance department's shops could not account for 42 of 50 sheets of finished birch plywood for which the prison paid approximately \$1,200.

Moreover, the property clerk keeps inaccurate records on the issue and location of highly desirable and portable property items, called "sensitive" property. As a result, the prison could not account for 6 (12 percent) of the 49 sensitive property items we attempted to locate. Examples of items inexplicably missing were a calculator and two exercise bicycles.

Furthermore, Folsom's pharmacy keeps inaccurate records on some of the 200 drugs it stores and issues, and it is improperly dispensing dangerous drugs without prescriptions signed by physicians. Six of 18 medical files we reviewed contained prescriptions written by medical technical assistants rather than by physicians. In addition, unauthorized staff are dispensing dangerous drugs to inmates. Since state law authorizes only registered pharmacists or, in certain circumstances, physicians to dispense dangerous drugs, the medical staff may be guilty of misdemeanors and may be placing inmates' health in jeopardy if the drugs administered are inappropriate.

Assigning Staff

Folsom is assigning its custody staff too much overtime and is assigning duties and responsibilities to some staff that are inconsistent with their job classification and sometimes with the amount of salary they receive. These practices unnecessarily increase state costs.

Folsom is authorized approximately 832 positions, 598 of which are for custody staff. For fiscal year 1984-85, Folsom's budget was \$22.3 million for all salaries and wages, including \$1.2 million for overtime. Folsom does not have sufficient staff, however, to relieve custody personnel on leave and to staff an increased number of security housing units. As a result, Folsom requires its custody personnel to work extensive overtime. Despite the \$1.2 million budget for overtime, the prison expended \$5.0 million for 212,000 overtime hours in fiscal year 1984-85, approximately four times the budgeted amount. Because this overtime is more expensive than full-time employee salary and benefits, Folsom could hire 44 additional full-time personnel for relief positions in lieu of paying overtime and still save a minimum of \$93,300 a year. This savings excludes one-time training costs of over \$150,000 for new employees. In addition, because some of Folsom's custody personnel have been working as many as ten 16-hour shifts per month, they may be fatigued and, therefore, may jeopardize the safety of staff and inmates and the security of the prison.

Six of 21 Folsom employees we sampled are working out of their job classifications in violation of State Personnel Board rules and state law. As a result, these employees may not be adequately trained for the duties they are performing, and the State is incurring unnecessary costs. For example, two custody staff were performing the duties appropriate to clerical employees at an additional cost to the State of \$1,496 per month.

Finally, Folsom supervisors do not comply with state and Department of Corrections requirements concerning the duration, rotation, and reporting of acting assignments. An acting assignment is a temporary assignment of an employee to a vacant position that is normally held by an employee in a different job classification. Because of incomplete records, we are unsure of the extent of the problem. However, at least 9 of the 32 acting assignments we could identify at Folsom between January 1984 and June 1985 lasted beyond the 60 days allowed. One may have lasted over 200 days. When employees remain in acting assignments for longer periods than the State allows, they may be working out of their job classification in violation of state law, and other employees are denied the opportunity to gain experience to prepare for promotional examinations.

Training Employees and Evaluating Their Performance

Folsom employees are not receiving the amount and type of training that Department of Corrections policies require. Twenty-nine (81 percent) of the 36 employees in our sample did not receive the required number of hours of training that department policy requires. Twelve of these employees received less than 50 percent of their required training. In addition, 4 (27 percent) of 15 employees did not receive any specialized training as required. As a result, some Folsom employees may not perform their duties as proficiently as they would have if they had received the required training. Moreover, lack of training for staff who come in frequent contact with inmates could contribute to inappropriate responses in emergencies such as assaults and escape attempts, which endanger the health and safety of employees, inmates, and the public.

Additionally, supervisors' annual performance appraisals of employees are not submitted promptly and do not always appear to provide an accurate evaluation of job performance. Even employees whose performance caused the prison to file adverse actions against them

subsequently received good performance appraisals, and supervisors recommended merit salary adjustments for these employees. Of the four employees in our sample who received adverse actions in fiscal year 1984-85, none received poor performance ratings on subsequent performance appraisals. Further, all of the four who were eligible for a merit salary adjustment received one. It appears, then, that supervisors are recommending merit salary adjustments for undeserving employees.

Finally, Folsom and the Department of Corrections appear to comply with both the steps and the schedules suggested in Department of Corrections policies and Folsom guidelines for disciplining employees. Also, the punitive measures imposed by the Department of Corrections appear to be appropriate to the types of misconduct the employees were charged with.

Ensuring Equal Opportunities for All Employees

Folsom complies with equal opportunity requirements in some areas but not in others. For example, the Folsom wardens have initiated measures that the State Personnel Board recommended to reduce sexual harassment. Folsom also processes complaints of sexual harassment promptly, and, according to 80 percent of the female employees responding to our questionnaire, the prison's system for reporting and responding to complaints of sexual harassment appears to be adequate.

Additionally, in comparison to four other state departments we surveyed, Department of Corrections policies to prevent nepotism appear adequate, and Folsom is complying with those policies. The State Personnel Board also investigated allegations of nepotism at Folsom and found that relatives did not regularly work in a supervisor-subordinate relationship, nor did they work together in small units. Moreover, managers and supervisors reported to us that their superiors have never influenced them to grant favorable treatment to the superiors' relatives.

However, Folsom employees we surveyed believe that favoritism occurs frequently at the prison. According to the majority of the employees we surveyed, favoritism was most likely to take the form of a specific type of job, a favorable work shift, or a favorable schedule for regular days off. Only 16 percent of the respondents indicated that favoritism had benefitted them, while 64 percent replied that favoritism had adversely affected them. The State Personnel Board reported that the employees' perception that favoritism exists at the prison was due in part to their lack of understanding of the criteria supervisors use to select and assign staff to positions. To ensure that favoritism is not a factor in job assignments, the new warden has initiated actions to alternate job assignments and to implement a Department of Corrections policy to assign 60 percent of the jobs in the Custody Division on the basis of seniority.

Finally, Folsom's progress toward meeting Department of Corrections mandated affirmative action goals is slow. At the current rate, for example, it will take Folsom approximately 29 years to have a sufficient number of Hispanics in its work force to meet its goals. Progress has been slow possibly because the warden has not established hiring rates and timetables for the prison or for divisions within the prison. Although the warden is implementing improvements to the program, he should also consider the reasonableness of the prison's goals. Some of the prison's goals, such as those pertaining to the hiring of women, may be impractical. Nevertheless, Folsom's employment of minorities and women is below that of the entire Department of Corrections work force. For example, the Department of Corrections reported that as of March 31, 1985, Folsom's work force was composed of 12.3 percent black, 9.5 percent Hispanic, and 18.0 percent female employees; the departmentwide composition was 18.0 percent, 14.6 percent, and 27.4 percent, respectively.

Following State Hiring Procedures

Folsom administrators appear to be complying with almost all regulations governing the hiring of Folsom employees. We sampled eight appointments and found that in all cases, Folsom personnel hired candidates from the top three ranks on State Personnel Board certified employment lists. Further, the warden and the director of the Department of Corrections approved the appointments, and the personnel office investigated the background of all new employees. The only discrepancy we found was that interviewers did not make and retain summaries of hiring interviews as required by Department of Corrections policy and, therefore, cannot document that they treated all applicants fairly and impartially. As a result of our audit, the warden has instructed all interviewers to comply with this requirement.

Our audit tests indicated that Folsom is also complying with state regulations for the testing and hiring of eligible candidates for job classifications that the State Personnel Board authorizes Folsom to administer. For example, Folsom staff asked candidates pertinent questions about education and experience, averaged examination scores properly, ranked candidates correctly, and verified the credentials of new employees when the job classification required such credentials.

In addition, Folsom appears to comply with State Personnel Board law and rules and Department of Corrections rules in its emergency hiring and employing of limited-term employees, permanent-intermittent employees, seasonal employees, and retired annuitants; in its permissive reinstatement of former state employees to positions at Folsom; and in its administration of training and development assignments.

We conducted this review under the authority vested in the Auditor General by Section 10500 et seq. of the California Government Code and according to generally accepted governmental auditing standards. We limited our review to those areas specified in Volume 2 of this report.

Respectfully submitted,



THOMAS W. HAYES
Auditor General

Date: March 10, 1986

State of California

M e m o r a n d u m

Date : March 5, 1986

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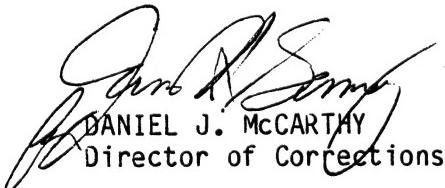
From : **Department of Corrections**

Subject: REVIEW OF MANAGEMENT PRACTICES AT FOLSOM STATE PRISON

This is in response to your letter dated February 26, 1986, in which you transmitted the two-volume draft report entitled, "A Comprehensive Review of Management Practices at Folsom State Prison." Departmental and Folsom Prison staff have reviewed and responded to each recommendation.

Enclosed are separate responses to the summary and the comprehensive reports. The summary highlights corrective actions that have been implemented or are being developed. The comprehensive response is organized by listing each item and the recommendation, followed by our response. A response was not provided for those items which concluded that Folsom Prison's management practices were satisfactory and did not include a recommendation.

If there are any questions regarding this response, please contact Mr. R. R. Bayquin, Deputy Director, Administrative Services, at (916) 323-4185.



DANIEL J. McCARTHY
Director of Corrections

Attachments

*AUDITOR GENERAL NOTE: The department's summary response is included in this volume. The department's comprehensive response is included in our detailed report, P-529, Volume 2.

CALIFORNIA DEPARTMENT OF CORRECTIONS

Response to Auditor General's Inspection Report

Summary

The administration of the California Department of Corrections has, as one of its goals, effective management and operation of the existing 12 institutions and 29 camp facilities that come under its jurisdiction. Folsom State Prison is one of the state's oldest facilities. A maximum security facility, Folsom's population includes those inmates serving long sentences, habitual criminals, hard-to-manage persons and inmates who present a risk to the safety of others. The operation of such a facility is a diverse and challenging endeavor, complicated by a variety of factors such as judicial intervention, budgetary constraints, physical plant condition and overcrowding, to name a few. Therefore, the staff who work at Folsom face daily obstacles to the successful discharge of their duties. However, they are committed to the goals of the department and equal to the task before them.

Discussion with staff assigned to the Auditor General's Office reveals that the audit of Folsom State Prison is one of the largest undertaken by the Auditor General. The department acknowledges the thorough and professional manner in which the staff from the Office of the Auditor General conducted the inspection and prepared their report. Given the large number of staff assigned to this audit and the length of time required to complete it, the potential for disruption to the prison's daily operation existed. We are pleased to note that staff on both sides worked cooperatively to facilitate the completion of the audit with minimal disruption.

During last year's legislative session, a number of allegations were made with respect to poor management practices at Folsom. The results of this current audit cited many of these same areas as being well-managed or experiencing no problems at this time. This is a positive factor which should be emphasized since some of the areas cited are very sensitive and critical to the effective operation of the facility. Examples of the areas referenced are:

- sexual harassment
- use of force/harassment of inmates*
- hiring practices (nepotism)
- visiting
- conflict of interest*

We believe that the favorable results in these areas can be directly attributed to the actions taken by the current Folsom administration or to the fact that the allegations themselves were untrue.

As in any large organization, management must establish operating goals and continually strive to ensure quality control regarding its daily operation. At the local level, Folsom staff utilize a number of performance indicators/measures to evaluate the effectiveness of their programs. These include but are not limited to:

*AUDITOR GENERAL COMMENT: Our report does not comment on either the use of force/harassment of inmates or conflict of interest.

- periodic review of operational procedures
- assessment of inmate appeals (Form 602)
- assessment of employee grievances
- analysis of disturbances (major and minor)
- analyses of escapes and escape attempts
- periodic unannounced inspections by Folsom administration staff of programs/facilities
- input from various advisory groups in the areas of training, inmate education, inmate programs, etc.

In addition, institution programs at Folsom are given periodic on-site review by staff assigned to the various units within the department's central office (headquarters). These reviews cover classification, case records, work incentive, court compliance, medical, fiscal and security issues. The results of these reviews are the identification of problem areas and development of corrective action plans, which can then be monitored. Over the past 12 months, Folsom State Prison has received several internal and external audits (reviews). As a result, a number of institutional procedures, operations, programs and staffing patterns have been developed or modified. The record should reflect that many of the recommendations included in the Auditor General's report are suggestions made by Folsom staff. These represent actions which had already been identified and/or explored and would probably have been implemented regardless of this formal audit. However, the external review by the Auditor General's staff served to reinforce the need for corrective action in some areas and provided the resources/manpower to explore in greater detail other critical areas.

The Department of Corrections concurs with a majority of the recommendations for corrections/improvements presented by the inspecting staff in their report. In those cases where the department does not concur, reasons for the disagreement have been fully documented in our detailed response.

Extensive action plans have been or are being developed to correct and improve functions of the Plant Maintenance, Procurement, Culinary, Inmate Work/Training Incentive Program and Classification operations. Many of these recommendations may result in significant fiscal impact. Given the Department's very rapid growth and the limited fiscal resources available, solutions to some of the problems cited may not easily be forthcoming. Each area is addressed in detail in Part II of this report.

Based on the demonstrated willingness of the management of the Department of Corrections to modify and improve existing operations, it is anticipated that the action plans outlined in this response will be fully implemented. As a result, the goal of a well-managed, cost efficient operation will be achieved.

cc: Members of the Legislature
Office of the Governor
Office of the Lieutenant Governor
State Controller
Legislative Analyst
Assembly Office of Research
Senate Office of Research
Assembly Majority/Minority Consultants
Senate Majority/Minority Consultants
Capitol Press Corps